

BEFORE THE OFFICE OF CAMPAIGN FINANCE
DISTRICT OF COLUMBIA BOARD OF ELECTIONS AND ETHICS
FRANK D. REEVES MUNICIPAL BUILDING
2000-14th STREET, N.W., SUITE 420
WASHINGTON, D.C. 20009
(202) 671-0550

IN THE MATTER OF)	DATE: May 6, 2005
)	
Marcie Williams Ament)	DOCKET NO.: 04F-302
Supervisory Social Worker)	
Child & Family Services Agency)	
14309 Myer Terrace)	
Rockville, Maryland 20853)	

ORDER

Statement of the Case

This matter came before the Office of Campaign Finance (hereinafter OCF) Office of the General Counsel following a determination by its Public Information and Records Management Division, that pursuant to D.C. Official Code §1-1106.02 (2001 Edition), Marcie Williams Ament, Supervisory Social Worker, Child & Family Services Agency, failed to timely file, a Financial Disclosure Statement for calendar year 2003, on or before May 15, 2004 as required by D.C. Official Code §1-1106.02, and also failed to file on or before the OCF sanctioned extended filing deadline of June 21, 2004.

By Notices of Hearing, Statements of Violations and Orders of Appearance dated February 4, 2005 and February 17, 2005, OCF ordered Marcie Williams Ament (hereinafter respondent), to appear at scheduled hearings on February 16, 2005 and March 2, 2005 and show cause why she should not be found in violation of the D.C. Campaign Finance Reform and Conflict of Interest Act of 1974, as amended by D.C. Official Code §§1-1101.01 et seq., and fined accordingly.

Summary of Evidence

OCF alleges that the respondent failed to timely file the statutorily required Financial Disclosure Statement for calendar year 2003, on or before June 21, 2004.

On February 15, 2005, the respondent contacted the Hearing Officer to request a continuance in that she had just received a notice to appear at an earlier hearing. Respondent advised that OCF's address of record was incorrect, and that she formerly lived at 2907 Fenimore Court, Wheaton, Maryland, and not Camp Springs, Maryland as addressed by OCF. The Hearing Officer continued the hearing to March 2, 2005. On March 2, 2005, the respondent appeared at the rescheduled hearing and admitted that she

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did not file the Financial Disclosure Statement because she was not informed that she was required to do so. Respondent further stated that OCF's address of record was incorrect. Respondent confirmed that she is a member of the Management Supervisory Service. Respondent filed for calendar years 2003 and 2004 at the conclusion of the hearing.

Findings of Fact

Having reviewed the allegations and the record herein, I find:

1. Respondent was required to file a Financial Disclosure Statement with OCF for calendar year 2003, on or before June 21, 2004.
2. Respondent filed the Financial Disclosure Statement on March 2, 2005.
3. Respondent is a first-time FDS filer.
4. Respondent provided a credible explanation for the filing delinquency because OCF's address of record, forwarded by her agency, was incorrect.
5. Respondent is currently in compliance with the statute.

Conclusions of Law

Based upon the record provided by OCF, I therefore conclude:

1. Respondent violated D.C. Official Code §1-1106.02.
2. Agency heads are responsible for maintaining the currency of the names and current mailing addresses of all persons required to file pursuant to D.C. Official Code § 1-1106.02(b).
3. The penalty established at D.C. Official Code §1-1103.05(b)(3), and 3DCMR §§3711.2(aa), 3711.2 and 3711.4 for failure to timely file a Financial Disclosure Statement required by D.C. Official Code §1-1106.02 is a fine of \$50.00 per day for each business day subsequent to the due date.
4. In accordance with D.C. Official Code §1-1103.05(b)(3), the respondent may be fined a maximum of \$2,000.00 for failing to timely file a Financial Disclosure Statement.
5. For good cause shown pursuant to 3DCMR §3711.6, the Director of Campaign Finance (Director) may modify, rescind, dismiss or suspend any fine.

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6. Respondent's explanation for failing to timely file, in that OCF's address of record was incorrect as a result of information forwarded by her agency, coupled with her first-time filer status, constitute good cause for suspension of the fine.

Recommendation

In view of the foregoing and information included in the record, I hereby recommend that the Director suspend the imposition of the fine in this matter.

Date

Jean Scott Diggs
Hearing Officer

Concurrence

In view of the foregoing, I hereby concur with the Recommendation.

Date

Kathy S. Williams
General Counsel

ORDER OF THE DIRECTOR

IT IS ORDERED that the fine in this matter be hereby suspended.

Date

Cecily E. Collier-Montgomery
Director

SERVICE OF ORDER

This is to certify that I have served a true copy of the foregoing Order, by regular mail, on respondent on May 6, 2005.

cc: Brenda Donald Walker, Director
Child & Family Services Agency
400 – 6th Street, SW
5th Floor
Washington, DC 20024

Kim Alexander, HR Advisor
Child & Family Services Agency
400 – 6th Street, SW
5th Floor
Washington, DC 20024

NOTICE

Pursuant to 3DCMR §3711.5 (1999), any fine imposed by the Director shall become effective on the 16th day following the issuance of a decision and order, if the respondent does not request an appeal of this matter. If applicable, within 10 days of the effective date of this order, please make a check or money order payable to the D.C. Treasurer, c/o Office of Campaign Finance, Suite 420, 2000-14th Street, N.W., Washington, D.C. 20009.